

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GUANGO FITZGERALD CORREA, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 05-503-JJF
 :
 SOUTH VOP BUILDING CENTER, :
 MICHAEL COSTELLO, and :
 SOUTH VOP IN SUSSEX COUNTY, :
 :
 Defendants. :

ORDER


WHEREAS, Plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee and without a request to proceed in forma pauperis;

WHEREAS, on August 1, 2005, the Court entered an order assessing the \$250 filing fee and ordering Plaintiff to submit within thirty (30) days from the date the order was sent, a request to proceed in forma pauperis and a certified copy of his trust account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint, or the case would be dismissed (D.I. 2);

WHEREAS, to date, the required document(s) have not been received from Plaintiff;

NOW THEREFORE, IT IS HEREBY ORDERED this 13 day of October 2005, that Plaintiff's complaint is **DISMISSED WITHOUT**

PREJUDICE. Plaintiff is not required to pay the \$250.00 filing fee.


UNITED STATES DISTRICT JUDGE